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Makic, Ravelo, Ramirez, Howard,
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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Kashane Kirk, *et al.*,

Plaintiffs,

vs.

City of Phoenix, *et al.*,

Defendants.

Case No. CV 23-00836-MTL (CDB)

**STIPULATION TO EXTEND
REMAINING DEADLINES**

First Request

(Expedited Consideration Requested)

Plaintiffs Kashane Kirk, Sharon Roberts, and Brittnie Turner (collectively referred to hereinafter as “Plaintiffs”), and Defendants City of Phoenix, Phoenix Police Department, Chief Michael Sullivan, Officer Autumn Ladines, Officer Antonio Garza, Sergeant Eric Roy, Officer Jaclyn Ravelo, Officer Steven Ramirez, and Sergeant Jonathan Howard, (collectively referred to hereinafter as “Defendants”), by and through counsel undersigned respectfully stipulate and request the Court amend the current Scheduling Order (Dkt. 39) to extend the remaining deadlines ninety (90) days. This Stipulated Request is made in good faith and not for the purpose of delay; it is also only the first request to extend the

1 remaining deadlines in the operative Scheduling Order in this case.

2 The parties are requesting an extension of ninety (90) days for the remaining
3 deadlines for several reasons. Despite due diligence, counsel for the Parties have not had
4 adequate time to complete discovery and depositions in this case, although they have
5 exchanged disclosures and some discovery. Moreover, Defendants' Motion to Dismiss
6 (Dkt. 29), and corresponding briefing, is still currently pending, which seeks to dismiss all
7 claims in the case. The Parties anticipate that the Court's ruling on this Motion will allow
8 them to more adequately determine the necessary scope of discovery in this matter,
9 including determining what records, depositions, and expert testimony might be needed for
10 the Parties to further prepare their respective cases.

11 In addition to the foregoing, the Parties have also experienced some conflict in their
12 respective schedules over this summer due to personal travel, other case deadlines, and
13 illness. Counsel for Plaintiff recently took ill, which sidelined him (and others in his office)
14 for some period of time to recuperate. And Defendants' counsel has had multiple, some
15 unanticipated, deadlines and hearings, depositions and mediations in other cases that have
16 taken longer than anticipated, which have caused more of a drain on counsel's available
17 time. Defendants' counsel was also out nine (9) days at the beginning of July for vacation.
18 Defendants' counsel also currently has a tentative trial set in September and a prebooked
19 vacation during the week of October 7th. The Parties will also then need more time for their
20 respective experts, which, again, is dependent (or could be) on the outcome of the pending
21 Motion to Dismiss.

22 Finally, counsel for the Parties also anticipate that once they know which claims, if
23 any, will survive the Motion to Dismiss, they will be better equipped to evaluate and report
24 on potential settlement, or other forms of alternative dispute resolution. Counsel for the
25 Parties have continued to have discussions about scheduling an early mediation in this case,
26 and they are trying to locate mediators and also need more time further engage in

discussions about the possibility of an early mediation being fruitful.

Thus, the Parties stipulate and respectfully request the Court agree to extend the remaining deadlines (approximately) ninety (90) days, as set forth below and in the attached proposed Order. The extensions requested will still allow for the dispositive motions to be briefed well within two years of the filing of Plaintiff's First Amended Complaint (Dkt. 27), which is the current operative complaint and was filed on October 25, 2023.

DEADLINE	CURRENT	PROPOSED
Engage in settlement talks	August 30, 2024	December 2, 2024
Joint report on settlement talks	September 6, 2024	December 9, 2024
Plaintiff's expert disclosures	September 13, 2024	December 16, 2024
Expert disclosures	October 25, 2024	January 27, 2025
Disclosure deadline	September 13, 2024	December 16, 2024
Rebuttal expert disclosures	November 29, 2024	February 28, 2025
Expert depositions	January 24, 2025	April 24, 2025
Fact Discovery	December 23, 2024	March 24, 2025
Discovery motions	January 31, 2025	May 2, 2025
Dispositive motions	March 31, 2025	June 30, 2025

RESPECTFULLY SUBMITTED this 16th day of August, 2024.

BROENING OBERG WOODS & WILSON, P.C.

By /s/ Sarah L. Barnes
 Sarah L. Barnes
 Kelley M. Jancaitis

Jeremiah M. Sullivan
Attorney for Defendants

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MILLS + WOODS LAW, PLLC

By /s/ Sean A. Woods (with permission)

Sean A. Woods

Robert T. Mills

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2024, I electronically filed the foregoing with the Clerk's Office using the CM/ECF system for filing, and transmittal of a Notice of Electronic Filing to the following CM/ECF registrant:

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/s/ Kathy E. Lake